



General Assembly

January Session, 2017

***Raised Bill No. 829***

LCO No. 4004



Referred to Committee on GENERAL LAW

Introduced by:  
(GL)

***AN ACT ALLOWING THE COMMISSION OF PHARMACY TO PLACE  
CONDITIONS ON PHARMACY LICENSES, PERMITS AND  
REGISTRATIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-579 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2017*):

3 (a) The commission may refuse to authorize the issuance of a  
4 temporary permit to practice pharmacy, may refuse to authorize the  
5 issuance or renewal of a license to practice pharmacy, a license to  
6 operate a pharmacy or a registration of a pharmacy intern or pharmacy  
7 technician, and may revoke, [or] suspend or place conditions on a  
8 license or temporary permit to practice pharmacy, a license to operate  
9 a pharmacy, or a registration of a pharmacy intern or a pharmacy  
10 technician, and may assess a civil penalty of up to one thousand  
11 dollars or take other action permitted in subdivision (7) of section 21a-  
12 7 if the applicant or holder of the license, temporary permit or  
13 registration: (1) Has violated a statute or regulation relating to drugs,  
14 devices or the practice of pharmacy of this state, any state of the

15 United States, the United States, the District of Columbia, the  
16 Commonwealth of Puerto Rico, any territory or insular possession  
17 subject to the jurisdiction of the United States or a foreign jurisdiction;  
18 (2) has been convicted of violating any criminal statute relating to  
19 drugs, devices or the practice of pharmacy of this state, any state of the  
20 United States, the United States, the District of Columbia, the  
21 Commonwealth of Puerto Rico, any territory or insular possession  
22 subject to the jurisdiction of the United States or a foreign jurisdiction;  
23 (3) has been disciplined by, or is the subject of pending disciplinary  
24 action or an unresolved complaint before, the duly authorized  
25 pharmacy disciplinary agency of any state of the United States, the  
26 United States, the District of Columbia, the Commonwealth of Puerto  
27 Rico, any territory or insular possession subject to the jurisdiction of  
28 the United States or a foreign jurisdiction; (4) has been refused a  
29 license or registration or renewal of a license or registration by any  
30 state of the United States, the United States, the District of Columbia,  
31 the Commonwealth of Puerto Rico, any territory or insular possession  
32 subject to the jurisdiction of the United States or a foreign jurisdiction  
33 based on grounds that are similar to grounds on which Connecticut  
34 could refuse to issue or renew such a license or registration; (5) has  
35 illegally possessed, diverted, sold or dispensed drugs or devices; (6)  
36 abuses or excessively uses drugs, including alcohol; (7) has made false,  
37 misleading or deceptive representations to the public or the  
38 commission; (8) has maintained exclusive telephone lines to, has  
39 maintained exclusive electronic communication with, or has exclusive  
40 access to computers located in offices of prescribing practitioners,  
41 nursing homes, clinics, hospitals or other health care facilities; (9) has  
42 substituted drugs or devices except as permitted in section 20-619; (10)  
43 has accepted, for return to regular stock, any drug already dispensed  
44 in good faith or delivered from a pharmacy, and exposed to possible  
45 and uncontrolled contamination or substitution; (11) has split fees for  
46 professional services, including a discount or rebate, with a prescribing  
47 practitioner or an administrator or owner of a nursing home, hospital  
48 or other health care facility; (12) has entered into an agreement with a

49 prescribing practitioner or an administrator or owner of a nursing  
50 home, hospital or other health care facility for the compounding or  
51 dispensing of secret formula or coded prescriptions; (13) has  
52 performed or been a party to a fraudulent or deceitful practice or  
53 transaction; (14) has presented to the commission a diploma, license or  
54 certificate illegally or fraudulently obtained, or obtained from a college  
55 or school of pharmacy not approved by the commission; (15) has  
56 performed incompetent or negligent work; (16) has falsified a  
57 continuing education document submitted to the commission or  
58 department or a certificate retained in accordance with the provisions  
59 of subsection (d) of section 20-600; (17) has permitted a person not  
60 licensed to practice pharmacy in this state to practice pharmacy in  
61 violation of section 20-605, to use a pharmacist license or pharmacy  
62 display document in violation of section 20-608, or to use words,  
63 displays or symbols in violation of section 20-609; [or] (18) has failed to  
64 maintain the entire pharmacy premises, its components and contents  
65 in a clean, orderly and sanitary condition; (19) has failed to comply  
66 with United States Pharmacopeia, Chapter 797, Pharmaceutical  
67 Compounding-Sterile Preparations, as amended from time to time; or  
68 (20) has failed to comply with United States Pharmacopeia, Chapter  
69 795, Pharmaceutical Compounding-Nonsterile Preparations, as  
70 amended from time to time.

71 (b) The commission may refuse to authorize the issuance of a  
72 temporary permit to practice pharmacy, may refuse to authorize the  
73 issuance or renewal of a license to practice pharmacy, a license to  
74 operate a pharmacy or a registration of a pharmacy intern or pharmacy  
75 technician, and may revoke, [or] suspend or place conditions on a  
76 license or temporary permit to practice pharmacy, a license to operate  
77 a pharmacy, or a registration of a pharmacy intern or a pharmacy  
78 technician, or take other action permitted in subdivision (7) of section  
79 21a-7 if the commission determines that the applicant or holder of the  
80 license, temporary permit or registration has a condition including, but  
81 not limited to, physical illness or loss of skill or deterioration due to the

82 aging process, emotional disorder or mental illness, abuse or excessive  
83 use of drugs or alcohol that would interfere with the practice of  
84 pharmacy, operation of a pharmacy or activities as a pharmacy intern  
85 or pharmacy technician, provided the commission may not, in taking  
86 action against a license, temporary permit or registration holder on the  
87 basis of such a condition, violate the provisions of section 46a-73 or 42  
88 USC Section 12132 of the federal Americans with Disabilities Act.

This act shall take effect as follows and shall amend the following sections:		
---	--	--

Section 1	<i>July 1, 2017</i>	20-579
-----------	---------------------	--------

***Statement of Purpose:***

To allow the Commission of Pharmacy to place conditions on pharmacy licenses, permits and registrations.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*